

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ROLAND VANDER BOND, JR.

PETITIONER

VERSUS

CIVIL ACTION NO. 1:11-cv-241-HSO-JMR

RON KING

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION, DENYING
PETITION FOR WRIT OF HABEAS CORPUS, AND
DISMISSING ACTION WITH PREJUDICE**

This matter is before the Court on the Report and Recommendation [11] of Chief Magistrate Judge John M. Roper, entered in this cause on November 13, 2012. The Magistrate Judge recommended that Petitioner Roland Vander Bond, Jr.'s 28 U.S.C. § 2254 Petition [1] for Writ of Habeas Corpus be denied. Rep. and Rec. [9] at p. 11. The Clerk of Court mailed the Report and Recommendation to Petitioner via certified mail at his address of record at the South Mississippi Correctional Institution ("SMCI") in Leakesville, Mississippi. On November 16, 2012, a "Linda Sumrall" signed an acknowledgment that the Report and Recommendation had been received at SMCI. Acknowledgment of Receipt [12]. The Report and Recommendation advised Petitioner that he had fourteen days from the date he received the Report and Recommendation to serve and file written objections. Rep. and Rec. [11] at pp. 11-12. Petitioner has not filed any objection to the Report and Recommendation, and the time for doing so has passed.

Where a party fails to file specific objections to a magistrate's proposed findings of fact and recommendation, the district court reviews the proposed findings of fact and recommendation for findings and conclusions that are clearly

erroneous or contrary to law. 28 U.S.C. § 636(b)(1); *see United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The Court finds that the Magistrate Judge properly recommended that the Petition [1] be dismissed. After referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record and relevant law in this matter, and being fully advised in the premises, finds that the Report and Recommendation is neither clearly erroneous nor contrary to law and should be adopted in its entirety as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [11] of Magistrate Judge John M. Roper is adopted in its entirety as the opinion of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, the Petition for Writ of Habeas Corpus [1] filed by Petitioner Roland Vander Bond, Jr., pursuant to 28 U.S.C. § 2254 is **DENIED**.

IT IS, FURTHER, ORDERED AND ADJUDGED that, this action is **DISMISSED WITH PREJUDICE**. A separate judgment will be entered in accordance with this Order as required by FED. R. CIV. P. 58.

SO ORDERED AND ADJUDGED, this the 20th day of June, 2013.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE